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CLERK, U.S. DISTRICT COURT

By Deputy

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

TPG GLOBAL, LLC, a limited
liability company,

Plaintiff,

v.

ADAM LEVINE, an individual,

Defendant.

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NO. 4:15-CV-00059-A

MOTION TO DISMISS FOR WANT OF JURISDICTION

Defendant Adam Levine moves the Court to dismiss this case pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(2) because plaintiff has not alleged—and cannot allege—facts supporting complete diversity of the parties or personal jurisdiction over Levine.

Plaintiff alleges that this Court has jurisdiction pursuant to 28 U.S.C. section 1332(a)(1). The Amended Complaint correctly alleges that Levine is a citizen of California. But it fails to identify the members of plaintiff TPG Global LLC, much less those members' citizenship, and thus fails to allege a basis for this Court's jurisdiction under section 1331(a)(1). Moreover, plaintiff is not a party to the contracts it seeks to enforce, and the TPG entity that is a contracting party shares California citizenship with Levine. For these reasons, the Court should dismiss this action under Rule 12(b)(1) for lack of subject matter jurisdiction.

In addition, the Amended Complaint alleges no facts that would establish personal jurisdiction over Levine in Texas. Levine does not have continuous and systematic contacts with the state of Texas to support general jurisdiction over him, and the Amended Complaint alleges no such contacts. Similarly, plaintiff does not allege that its causes of action arise out of or are connected to any act that Levine purposefully committed in Texas or any transaction that he

purposefully consummated here. For these reasons, the Court should dismiss this action under Rule 12(b)(2) for lack of personal jurisdiction.

Based on the authorities set forth in the accompanying Brief in Support of Motion to Dismiss for want of Jurisdiction, Levine therefore asks the Court to dismiss this case and award him such further relief to which he may be entitled.

Respectfully submitted,

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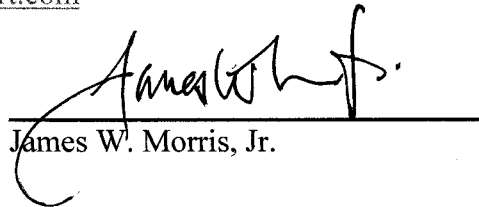
CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served by email and U.S. Mail on the following counsel of record on this 2nd day of April, 2015:

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